

UNITED STATES DISTRICT COURT FOR
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

- a. PROPERTY LOCATED AT URB. MAYAGUEZ TERRACE, 2007 JORGE LARRANAGA STREET, MAYAGUEZ, PUERTO RICO, 00680, PROPERTY NUMBER 10860 RECORDED AT PAGE 215 OF VOLUME 359 OF MAYAGUEZ, REGISTRY OF THE PROPERTY OF MAYAGUEZ
- b. PROPERTY LOCATED AT LOT #7, ROAD 459, KM 11.9, BARRIO JOBOS, ISABELA, PUERTO RICO, PROPERTY NUMBER 19539 RECORDED AT PAGE 257 OF VOLUME 361 OF ISABELA, REGISTRY OF THE PROPERTY OF AGUADILLA;
- c. PROPERTY LOCATED AT #7, CALLE JUAN MORELL CAMPO, BARRIO CANDELARIA, MAYAGUEZ, PUERTO RICO, PROPERTY NUMBER 11173 RECORDED AT PAGE 189 OF VOLUME 371 OF MAYAGUEZ, REGISTRY OF THE PROPERTY OF MAYAGUEZ;
- d. PROPERTY LOCATED AT 1479 CONDADO DEL MAR APARTMENT 1910, ASHFORD AVENUE, SAN JUAN PUERTO RICO, PROPERTY NUMBER 19928 RECORDED AT PAGE 101 OF VOLUME 549 OF SANTURCE NORTE, REGISTRY OF THE PROPERTY OF SAN JUAN, FIRST SECTION; and

Civil No.:

- e. PROPERTY LOCATED AT LOT #3, ROAD 466, SEC. LAS MARIAS AT BARRIO JOBOS, ISABELA, PUERTO RICO, PROPERTY NUMBER 23344 RECORDED AT PAGE 177 OF VOLUME 428 OF ISABELA, REGISTRY OF THE PROPERTY OF AGUADILLA,

Defendants *In Rem*.

**VERIFIED COMPLAINT
FOR FORFEITURE *IN REM***

TO THE HONORABLE COURT:

COMES NOW, the United States of America brings this Verified Complaint for Forfeiture *in Rem* under Supplemental Rule G(2) of the Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and 18 U.S.C. § 985, and alleges as follows:

Nature of the Action

1. This is a civil action *in Rem* under 18 U.S.C. §§ 981(a)(1)(A) and (C), 982 and 985, and 21 U.S.C. § 881(a)(6) and (7).

Jurisdiction and Venue

2. This Court has subject matter jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345; over an action for forfeiture pursuant to 28 U.S.C. § 1355; and over this particular action pursuant to 18 U.S.C. §§ 981(a)(1)(A) and (C), 982, and 985, and 21 U.S.C. § 881(a)(6).
3. Venue is proper in this district and the Court has *in Rem* jurisdiction over the defendant currency pursuant to 28 U.S.C. §§ 1355(b)(1)(A) and 1395(b) because the acts and omissions giving rise to the forfeiture occurred in this district, where the Defendants *in*

Rem are located.

The Defendants in Rem

4. The Defendants *in Rem* are five pieces of real property described as follows:
- a. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at Urb. Mayagüez Terrace, 2007 Jorge Larranaga Street, Mayagüez, PR 00680, more particularly describe as:

The legal description of this property is in Spanish, and it reads as follows:

“URBANA: Solar número 17-B del bloque “F” de la Urbanización Mayagüez Terrace, en el Barrio Miradero de Mayagüez, Puerto Rico, con un área de 237.50 metros cuadrados. Colindando por el NORTE, en 9.50 metros con la Calle Número Uno; por el SUR, en 9.50 metros con el solar número 12-A; por el ESTE, en 25.00 metros con el solar número 17-A; y por el OESTE, en 21.00 metros número con el solar número 16-A; todos del mismo bloque de la urbanización. Enclava una casa de concreto armado, de una sola planta, con techo de azotea y piso de lozas del país que constituye una vivienda independiente, consistiendo de tres dormitorios, con sus closets, sala y comedor en una sola unidad cocina con su closet, cuarto de baño y balcón. Sobre esta finca existe una servidumbre consistente de una pared medianera que divide la casa o unidad de este número de la casa o unidad de vivienda situada en el remanente de esta finca segregación, cuya pared continuaría sirviendo en ambas unidades y permanecerá en común y proindiviso y en todas sus actuales extensión y espesor, de los propietarios de ambas unidades de vivienda.”

URBAN: Plot number 17-B of block “F” of Urbanización Mayagüez Terrace in Barrio Miradero in Mayagüez, Puerto Rico, with an area of 237.50 square meters. Bounded on the NORTH, at 9.50 meters, with Street Number One; on the South, at 9.50 meter, with plot number 12-A; on the EAST, at 25.00 meter, with plot number 17-A; on the WEST, at 21.00 meters number [sic], with plot number 16-A; all from the same block in the neighborhood. It contains a one-floor reinforced concrete house with a flat roof and tile flooring that constitutes a separate dwelling. It has three rooms, with its closets, a living room and dining room in one unit, kitchen with its closet, bathroom, and balcony. On this plot there is easement that consists of a party wall that divides this number’s house or unit from the house or dwelling unit located in the remainder of this property’s segregation, which wall shall continue serving both units and remain in common and pro indiviso and all its present extent and thickness, of the owners of both dwelling units.

Property Number 10860 recorded at page 215 of volume 359 of Mayaguez, Registry of the Property of Mayaguez.

- b. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at Lot #7, Road 459, Km 11.9, Barrio Jobos, Isabela, Puerto Rico, more particularly described as:

The legal description of this property is in Spanish, and it reads as follows:

“RÚSTICA: Solar Número 1, radicado en el Barrio Jobos de Isabela, con una cabida superficial de 7860.7912 metros cuadrados. Colinda por el NORTE, en 56.884 metros con el Solar número 3 del Plano de Inscripción sustituto; por el ESTE, en 158.911 metros, con Solar de acceso en el Plano de Inscripción sustituto; por el SUR, en 42.142 metros con franja marcada Ensanche en el Plano de Inscripción sustituto que lo separa de la Carretera 459; por el OESTE, en 4 alineaciones que totalizan 155.354 metros con camino vecinal, que lo separa de terrenos de Idalia Hernández.”

RURAL: Lot Number 1, located at Jobos Ward of Isabela, with a superficial area of 7860.7912 square meters. Its boundaries are: by the NORTH, in 56.884 meters with lot number 3 of the substitute Inscription Plan; by the EAST, in 158.911 meters, with access lot in the substitute Registration Plan; by the SOUTH, in 42.142 meters with strip marked Widening in the substitute Inscription Plan that separates it from Highway 459; by the WEST, in 4 alignments totaling 155.354 meters with neighborhood road, which separates it from land of Idalia Hernández.

Property Number 19539 recorded at page 257 of volume 361 of Isabela, Registry of the Property of Aguadilla.

- c. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at #7, Calle Juan Morell Campo, Barrio Candelaria, Mayaguez, Puerto Rico, more particularly described as:

The legal description of this property is in Spanish, and it reads as follows:

“URBANA: Solar situado en la Calle Número Dos, hoy Calle Morell Campos, lugar denominado Barcolona, Barrio Candelaria de la ciudad de Mayagüez, que tiene una cabida superficial, según mensura, de 249.80 metros cuadrados, equivalente a dos (2) áreas, cuarenta y nueve (49) centiáreas ochenta (80) miliáreas. Colindando por el SUD con la calle en que radica denominada Morell Campos, a la cual da su frente, y por donde mide 10.78 metros; por el NORTE, con el Río Yagüez, por donde mide 9.36 metros; por el ESTE, en línea recta con propiedad de Cecilio Torres, por

donde mide 27.29 metros; y por el OESTE, con terrenos de la Sucesión Seguinot y otra con terrenos de la Sucesión Brignoni, por el cual lado mide dicho solar 23.74 metros. En este solar se edificó una casa de hormigón y bloques, de dos plantas, una baja y otra alta, con techo de concreto y hormigón también. La planta baja mide 35 pies 4 pulgadas y media por su frente, 31 pies con 6 pulgadas la parte trasera o el fondo; 43 pies y 4 pulgadas por el costado derecho, entrando, y 43 pies 4 pulgadas por el costado izquierdo. La planta baja destinada a comercio, con entrada para vehículos, con pisos de losetas. La Puerta alta mide 35 pies y 4 pulgadas y media de frente; 31 pies y 6 pulgadas de fondo; 43 pies y 4 pulgadas el costado derecho; y 43 pies y 4 pulgadas el costado izquierdo. La dicha planta alta destinada a vivienda con balcón al frente y terraza al lado izquierdo, con pisos de losetas, comprendiendo sala, comedor, tres habitaciones, cuarto de baño y cocina, además del dicho balcón a la terraza.”

URBAN: Plot located on Street Number Two, today Street Morell Campos, place called Barcolona, Candelaria Ward of the city of Mayagüez, which has a surface space, according to measurement, of 249.80 square meters, equivalent to two (2) areas, forty-nine (49) centiare eighty (80) milliare. Bounding by the SOUTH, with the street in which it is called Morell Campos, to which it gives its front, and where it measures 10.78 meters; to the NORTH, with the Yagüez River, where it measures 9.36 meters; by the EAST, in a straight line owned by Cecilio Torres, where it measures 27.29 meters; and on the WEST, with land of the Seguinot Succession and another with land of the Brignoni Succession, by which side measures said plot 23.74 meters. On this lot was built a house of concrete and blocks, two floors, one low and one high, with concrete roof and concrete as well. The ground floor measures 35 and a half feet 4 inches by its front, 31 feet with 6 inches the back or bottom; 43 feet and four inches on the right side, entering, and 43 feet 4 inches on the left side. The ground floor for commerce, with entrance for vehicles, with tile floors. The tall door measures 35 feet and 4 1/2 inches in front; 31 feet 6 inches deep; 43 feet 4 inches on the right side; and 43 feet 4 inches on the left side. The said upper floor destined to housing with balcony to the front and terrace to the left side, with floors of tiles, comprising living room, dining room, three bedrooms, bathroom and kitchen, in addition to the said balcony to the terrace.

Property Number 11173 recorded at page 189 of volume 371 of Mayaguez, Registry of the Property of Mayaguez.

- d. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at 1479 Condado Del Mar Apartment 1910, Ashford Avenue, San Juan Puerto Rico, more particularly described as:

The legal description of this property is in Spanish, and it reads as follows:

“URBANA: PROPIEDAD HORIZONTAL: CONDOMINIO CONDADO DEL MAR de Santurce Norte. Apartamento: 1910. Cabida: 46.47 Metros Cuadrados. De forma irregular localizado en la décima novena planta del edificio "Condado de Mar, en el sector norte de Santurce, San Juan Puerto Rico, con área total privada de quinientos pies cuadrados, equivalentes a cuarenta y seis metros cuadrados con cuarenta y siete céntimas de metros cuadrados, midiendo diez y ocho pies once pulgadas en su mayor ancho por veintiséis pies once pulgadas en su mayor longitud consta de foyer, sala-comedor, dormitorio, terraza, baño, closet vestidores, cocina con mesa de trabajo, gabinetes de pared, estufa-horno, fregadero y nevera. Colinda por el NORTE, con pared que lo separa de corredor común limitado en una longitud de diez y ocho pies once pulgadas; por el SUR, en una línea quebrada con patio exterior en una longitud de diez y ocho pies once pulgadas; por el ESTE, con la pared que lo separa del apartamento mil novecientos ocho en una longitud de veintitrés pies siete pulgadas y con patio exterior en una longitud de tres pies siete pulgadas y por el Oeste con patio exterior en una longitud de tres pies siete pulgadas con pared que lo separa del pozo de elevador de servicio y vestíbulo de servicio en una longitud de doce pies seis pulgada. Este apartamento tiene su puerta de entrada que lo comunica con el corredor común limitado que da acceso a los ascensores y escaleras de salida al exterior del edificio y le corresponde el estacionamiento descubierto ciento cuarenta y ocho (148). Corresponde a este apartamiento en los elementos comunes del inmueble una participación equivalente a doscientas milésimas de uno por ciento (0.200%).”

URBAN: HORIZONTAL PROPERTY: CONDOMINIUM CONDADO DEL MAR of Santurce Norte. Apartment: 1910. AREA: 46.47 square meters. Irregularly located on the nineteenth floor of the building "Condado de Mar", in the northern sector of Santurce, San Juan, Puerto Rico, with total private area of five hundred square feet, equivalent to forty-six square meters with forty-seven cents of square meters, measuring ten and eight feet eleven inches in its greatest width by twenty-six feet eleven inches in its greatest length consists of foyer, living room, bedroom, terrace, bathroom, closet dressing rooms, kitchen with work table, wall cabinets, stove-oven, sink and refrigerator. It adjoins the NORTH, with a wall that separates it from a common corridor limited in a length of ten and eight feet eleven inches; by the SOUTH, in a broken line with outer courtyard in a length of ten and eight feet eleven inches; on the EAST, with the wall separating it from the apartment nineteen eight in a length of twenty-three feet seven inches and with an outdoor courtyard in a length of three feet seven inches; and on the WEST, with an outer courtyard in a length of three feet seven inches with a wall separating it from the service elevator pit and service hall in a length of twelve feet six inches. This apartment has its entrance door that communicates it with the limited common corridor that gives access to the elevators and exit stairs to the outside of the building and corresponds to the uncovered parking one hundred and forty-eight (148). Corresponds

to this apartment in the common elements of the property a share equivalent to two hundred thousandths of one percent (0.200%).

Property Number 19928 recorded at page 101 of volume 549 of Santurce Norte, Registry of the Property of San Juan, First Section.

- e. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at Lot #3, Road 466, Sec. Las Marias at Barrio Jobos, Isabela, Puerto Rico, more particularly described as:

The legal description of this property is in Spanish, and it reads as follows:

“RÚSTICA: Solar número 3 radicado en el Barrio Jobos de Isabela, con una cabida de 3766.7025 metros cuadrados. En lindes por el NORTE, en 37.923 metros con el risco de la Bajura que separa de Inés Mercado y Tuto González; por el ESTE, en 93.316 metros con el solar número 4; por el SUR, en 40.249 metros con acceso a uso público; por el OESTE, en 101.297 metros con el solar número 2.”

RÚSTICA: Lot number 3 located at Jobos Ward of Isabela, with an area of 3766.7025 square meters. Its boundaries are: by the NORTH, in 37.923 meters with the cliff of the Bajura that separates it from Inés Mercado and Tuto González; by the EAST, in 93.316 meters with lot number 4; by the SOUTH, in 40.249 meters with access to public use; by the WEST, in 101.297 meters with lot number 2.

Property Number 23344 recorded at page 177 of volume 428 of Isabela, Registry of the Property of Aguadilla.

Bases for Forfeiture

- 5. The Defendants *in Rem* are subject to forfeiture under 18 U.S.C. § 981(a)(1)(A) as property, real or personal, involved in a transaction or attempted transaction in violation of section 1956, 1957 or 1960 of this title, and any property traceable to such property.
- 6. The Defendants *in Rem* are further subject to forfeiture under 18 U.S.C. § 981(a)(1)(C) as any property, real or personal, which constitutes or is derived from proceeds traceable to any offense constituting “specified unlawful activity” (as defined in section 1956(c)(7) of this title), or a conspiracy to commit such offense including the manufacture,

distribution or possession with intent to manufacture or distribute controlled substances in violation of 21 U.S.C. § 841(a)(1), which is a specified unlawful activity pursuant to 18 U.S.C. §§ 1961(a)(D) and 1956(c)(7)(A).

7. The Defendants *in Rem* are further subject to forfeiture under 18 U.S.C. § 982, which provides for the forfeiture of “any property, real or personal involved in offenses in violation of section 1956, 1957 or 1960 of this title.
8. The Defendants *in Rem* are further subject to forfeiture under 18 U.S.C. § 985 (Civil forfeiture or real property).
9. The Defendants *in Rem* are further subject to forfeiture under 21 U.S.C. § 881(a)(6) as moneys, negotiable instruments, securities, and other things of value furnished and intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. § 801, et seq., all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of 21 U.S.C. § 801, et seq.

Facts

10. This Verified Complaint fully incorporates the facts contained in the attached Unsworn Declaration of Task Force Agent Rosa I. Robles of Immigration and Customs Enforcement-Homeland Security Investigations (ICE-HSI).

Claim for Relief

The United States of America respectfully requests that the Court issue a warrant of arrest of the Defendants *in Rem*; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that the Court enter judgment declaring the Defendants *in Rem* condemned and forfeited to the United States of America for disposition

according to law; and that the Court grant the United States of America such other and further relief as the Court may deem just and proper, together with the costs and disbursements of this action.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 19 day of May 2023.

W. STEPHEN MULDROW
United States Attorney

/s/Myriam Y. Fernández-González
Myriam Y. Fernández-González
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VERIFIED DECLARATION

I, Myriam Y. Fernández-González, Assistant United States Attorney, declare pursuant to the penalty of perjury as provided by 28 U.S.C. § 1746, the following:

That the foregoing Complaint is based on reports and information furnished to me by the Immigration and Customs Enforcement-Homeland Security Investigations (ICE-HSI) that everything contained therein is true and correct to the best of my knowledge and belief.

Executed in San Juan, Puerto Rico, this 19 day of May 2023.

/s/Myriam Y. Fernández-González
Myriam Y. Fernández-González
Assistant United States Attorney

VERIFIED DECLARATION

I, Rosa I. Robles, depose and say that I am a Task Force Agent with the Immigration and Customs Enforcement-Homeland Security Investigations (ICE-HSI) and as such have responsibility for the within action, that I have read the contents of the foregoing Verified Complaint for Forfeiture *in Rem* and, pursuant to 28 U.S.C. § 1746, verify under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed in San Juan, Puerto Rico, this 19th day of May 2023.



Rosa I. Robles, Task Force Agent
Immigration and Customs Enforcement-
Homeland Security Investigations (ICE-HSI)